

REMARKS**BEST AVAILABLE COPY**

Claim 1 calls for converting a metal silicide into a metal silicate and then using an etchant that is selective to metal silicate to remove the metal silicate.

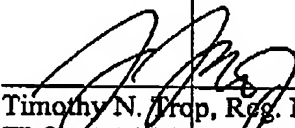
The claim is rejection under Section 102 based on Fatula. However, it is believed that Fatula uses an etchant which is selective to the silicon dioxide, rather than metal silicate. Specifically, looking at Figure 2 relied upon in the office action, it is indicated that the metal silicate is 16. Going from Figure 2 to 3, an oxidation occurs which greatly increases the layer 18 and eats up some of the layer 16. Then, going from Figure 3 to Figure 4, the etchant in question obviously attacks the oxide layers 12 and 18, not the metal silicate 16. See the specification at column 3, lines 33-37. There, it is indicated that the buffered hydrofluoric acid solution "selectively removes the metal rich oxide layer 20." Thus, it is clear that the etchant is selective of the metal rich silicon dioxide, not the silicate.

This is further confirmed by reviewing Figure 4 where it can be seen that the metal silicate 16 is unaffected by the etch. More affected are the oxide layers 12 and 18.

Since there is no etchant that is selective of metal silicate that is utilized, reconsideration is respectfully requested.

Respectfully submitted,

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